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MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

## State Water Resources Control Board

Division of Drinking Water

Water System No. 4900549

September 23, 2014

Steve Urbanek  
Sonoma CSA 41 - Freestone  
2300 County Center Drive – Suite B100  
Santa Rosa, CA 95403

### CITATION NO. 02-18-14C-031

### DISINFECTION BYPRODUCTS MONITORING AND REPORTING VIOLATION FOR SECOND QUARTER 2014

Enclosed is a Citation issued to the Sonoma CSA 41 - Freestone (System) public water system.

Sonoma CSA 41 - Freestone will be billed at the State Water Resources Control Board Division of Drinking Water's (Division) hourly rate (currently estimated at \$128.00) for the time spent on issuing this Citation. Health and Safety Code Section 116577 provides that a public water system must reimburse the Division for actual costs incurred by the Division for specified enforcement actions, including, but not limited to, preparing, issuing, and monitoring compliance with a citation. At this time, the Division has spent approximately one hour on enforcement activities associated with this violation.

Sonoma CSA 41 – Freestone will receive a bill sent from our Division Fee Billing Unit in August of the next fiscal year. This bill will contain any fees for any enforcement time spent on the Sonoma CSA 41 - Freestone for the current fiscal year.

If you have any questions regarding this matter, please contact George Chien of my staff at (707) 576-2971 or me at (707) 576-2006.

Sincerely,

Janice M. Thomas, P.E., Sonoma District Engineer  
Division of Drinking Water  
STATE WATER RESOURCES CONTROL BOARD

Enclosure: Citation No. 02-18-14C-031

c: Hal Wood, P.O. Box 730, Forestville, CA 95436 (w enclosure)

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

STATE OF CALIFORNIA  
WATER RESOURCES CONTROL BOARD  
DIVISION OF DRINKING WATER

**Name of Public Water System:** Sonoma CSA 41 – Freestone

**Water System No:** 4900549

**To:** Steve Urbanek  
2300 County Center Drive – Suite B100  
Santa Rosa, CA 95403

**Physical Location:** 456 Bohemian Highway, Freestone, California 95472

**Issued:** September 23, 2014

CITATION FOR NONCOMPLIANCE  
WITH DISINFECTION BYPRODUCTS MONITORING AND REPORTING  
SECOND QUARTER 2014

The Division of Drinking Water of the State of California Water Resources Control Board (Division) hereby issues a citation to the Sonoma CSA 41 – Freestone (hereinafter System) for failure to comply with Title 22, California Code of Regulations (CCR) Sections 64534, 64534.2(d), 64537 and 64537.2.



1 Section 116650 of the California Health and Safety Code (CHSC),  
2 authorizes the issuance of a citation for failure to comply with a requirement  
3 of California Safe Drinking Water Act (CHSC, Division 104, Part 12, Chapter  
4 4, commencing with Section 116270), or any regulation, standard, permit or  
5 order issued thereunder. A copy of the *Applicable Statutes and Regulations*  
6 is located in Appendix 1, which is attached hereto and incorporated by  
7 reference.  
8

### 10 STATEMENT OF FACTS

11 Sonoma CSA 41 – Freestone is classified as a community water system  
12 serving a population 60 through 30 service connections.  
13

14  
15 The Division received monitoring results for total trihalomethanes (TTHMs)  
16 and haloacetic acids (five) (HAA5) collected in September 2010 at the  
17 monitoring location, 160 Bohemian Highway, of 0.110 milligrams per liter  
18 (mg/L) and 0.0755 mg/L, respectively. The results exceeded the maximum  
19 contaminant levels (MCLs) of 0.080 mg/L for TTHMs and 0.060 mg/L for  
20 HAA5. By an email dated October 13, 2010, the System was notified of the  
21 requirement to commence quarterly TTHMs and HAA5 monitoring at 160  
22 Bohemian Highway.  
23

24  
25 The Division received quarterly monitoring results for TTHMs and HAA5 and  
26 the calculated running annual average violated the MCLs in first quarter  
27



1 2011. By letter dated April 7, 2011, the System was notified of the  
2 requirement to commence quarterly TTHMs and HAA5 monitoring.

3  
4 The Division received quarterly monitoring results for TTHMs and HAA5 and  
5 the calculated running annual average violated the MCLs in second quarter  
6 2011. By letter dated August 26, 2011, the System was notified of the  
7 requirement to commence quarterly TTHMs and HAA5 monitoring.  
8

9  
10 The Division received quarterly monitoring results for TTHMs and HAA5 and  
11 the calculated running annual average violated the MCLs in fourth quarter  
12 2012. By letter dated March 7, 2013, the System was notified of the  
13 requirement to commence quarterly TTHMs and HAA5 monitoring.  
14

15  
16 The Division received quarterly monitoring results for TTHMs and HAA5 and  
17 the calculated running annual average violated the MCLs in first quarter  
18 2013. By letter dated April 23, 2013, the System was notified of the  
19 requirement to commence quarterly TTHMs and HAA5 monitoring.  
20

21 According to Sections 64534.2(d), the System is required to collect one  
22 TTHMs and one HAA5 sample per quarter from 160 Bohemian Highway and  
23 report the results to the Division database. As of the date of this Citation,  
24 the Division has not received results for a quarterly TTHMs and HAA5  
25  
26  
27





1 collected from 160 Bohemian Highway of the Sonoma CSA 41 - Freestone  
2 during the Second Quarter 2014.

### 3 4 **DETERMINATIONS**

5 The System violated Title 22, CCR, Sections 64534, 64534.2(d), 64537, and  
6 64537.2. Section 64534 defines a violation of the monitoring requirements  
7 for the entire monitoring period that a monitoring result would be used in  
8 calculating compliance with MCLs, and shall notify the public. Section  
9 64534.2(d) defines a violation of the monitoring frequency of dual sample  
10 sets once per quarter (taken every 90 days) at all locations if a TTHM  
11 sample is greater than 0.080 mg/L or a HAA5 sample is greater than 0.060  
12 mg/L at any location. Section 64537 defines a violation of reporting within  
13 10 days after the end of each quarter in which samples were collected.  
14 Section 64537.2 defines a violation of the number of samples, date, results,  
15 locational running annual average, and operational evaluation level  
16 calculations.  
17

18  
19  
20 The System took fewer than the minimum number of required samples and  
21 did not report the findings, if any, to the Division during Second Quarter  
22 2014. Therefore, the System violated the monitoring and reporting of  
23 TTHMs and HAA5 as defined in Sections 64534, 64534.2(d), 64537, and  
24 64537.2.  
25  
26  
27



**DIRECTIVES**

Sonoma CSA 41 – Freestone is hereby directed to take the following actions:

1. Comply with Sections 64534, 64534.2(d), 64537, and 64537.2, Title 22, CCR in all future monitoring periods.
2. On or before **October 23, 2014**, notify all persons served by the System of the monitoring and reporting violation in conformance with Title 22, Sections 64463.4 and 64465. Appendix 2: Public Notification Template may be used to fulfill this directive.
3. The System shall complete Appendix 3: Compliance Certification. Submit it with a copy of the public notification to the Division on or before **November 3, 2014**.

The Division reserves the right to make such modifications to this Citation, as it may deem necessary to protect public health and safety. Such modifications may be issued as amendments to this Citation and shall be effective upon issuance.

Nothing in this Citation relieves the System of its obligation to meet the requirements of the California Safe Drinking Water Act (CHSC, Division 104,



1 Part 12, Chapter 4, commencing with Section 116270), or any regulation,  
2 standard, permit or order issued thereunder.

3  
4 All submittals required by this Citation shall be submitted to the Division

5 at the following address: Janice M. Thomas, P.E.  
6 State Water Resources Control Board  
7 Division of Drinking Water  
8 50 D Street, Suite 200  
9 Santa Rosa, CA 95404

10 **PARTIES BOUND**

11 This Citation shall apply to and be binding upon the System, its owners,  
12 officers, directors, agents, employees, contractors, successors, and  
13 assignees.  
14

15 **SEVERABILITY**

16 The directives of this Citation are severable, and the System shall comply  
17 with each provision thereof notwithstanding the effectiveness of any  
18 provision.  
19

20 **FURTHER ENFORCEMENT ACTION**

21 Division 104, Part 12, Chapter 4, (commencing with Section 116270) of the  
22 California Health and Safety Code authorizes the Division to: issue  
23 additional citations with assessment of penalties if the System continues to  
24 fail to correct a violation identified in a citation; take action to suspend or  
25 revoke a permit that has been issued to a public water system if the System  
26  
27



1 has violated applicable law or regulations or has failed to comply with orders  
2 of the Division; and petition the superior court to take various enforcement  
3 measures against a public water system that has failed to comply with  
4 orders of the Division. The Division does not waive any further enforcement  
5 action by issuance of this citation.  
6

7  
8  
9  
10 Janice M. Thomas

September 23, 2014

11 Janice M. Thomas, P.E., Sonoma District Engineer

Date

12 Division of Drinking Water

13 STATE WATER RESOURCES CONTROL BOARD  
14

15 Appendices (3):

- 16 1. Applicable Statutes and Regulations
- 17 2. Public Notification Template
- 18 3. Compliance Certification  
19



20 Certified Mail No. 70123460000264594683  
21

22  
23  
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27 4900549/Compliance  
02-18-14C-031-4900549-30.docx /GC





## **APPENDIX 1. APPLICABLE STATUTES AND REGULATIONS FOR CITATION NO. 02-18-14C-031**

Section 116650 of the CHSC states in relevant part:

- (a) If the department determines that a public water system is in violation of this chapter or any regulation, permit, standard, citation, or order issued or adopted thereunder, the department may issue a citation to the public water system. The citation shall be served upon the public water system personally or by certified mail. Service shall be deemed effective as of the date of personal service or the date of receipt of the certified mail. If a person to whom a citation is directed refuses to accept delivery of the certified mail, the date of service shall be deemed to be the date of mailing.
- (b) Each citation shall be in writing and shall describe the nature of the violation or violations, including a reference to the statutory provision, standard, order, citation, permit, or regulation alleged to have been violated.
- (c) A citation may specify a date for elimination or correction of the condition constituting the violation.
- (d) A citation may include the assessment of a penalty as specified in subdivision (e).
- (e) The department may assess a penalty in an amount not to exceed one thousand dollars (\$1,000) per day for each day that a violation occurred, and for each day that a violation continues to occur. A separate penalty may be assessed for each violation.

California Code of Regulations (CCR), Section 64534 states in relevant part:

- (f) Systems that fail to monitor shall be in violation of the monitoring requirements for the entire monitoring period that a monitoring result would be used in calculating compliance with MCLs or MRDLs, and shall notify the public pursuant to sections 64463, 64463.7, and 64465, in addition to reporting to the Department pursuant to sections 64537 through 64537.6.
- (g) Systems that fail to monitor in accordance with the monitoring plan required by section 64534.8 shall be in violation of the monitoring requirements, and shall notify the public pursuant to sections 64463, 64463.7, and 64465, in addition to reporting to the Department pursuant to sections 64537 through 64537.6.

California Code of Regulations (CCR), Section 64534.2(d) states in relevant part:

- (5) Systems that are required to monitor at a particular location annually or less frequently than annually pursuant to table 64534.2-C or 64534.2-D shall increase monitoring to dual sample sets once per quarter (taken every 90 days) at all locations if a TTHM sample is  $>0.080$  mg/L or a HAA5 sample is  $>0.060$  mg/L at any location.

California Code of Regulations (CCR), Section 64537 states in relevant part:

- (a) Systems required to sample quarterly or more frequently, pursuant to section 64534.2, 64534.4, or 64534.6, shall report to the Department within 10 days after the end of each quarter in which samples were collected according to section 64469(c), notwithstanding the provisions of sections 64469(a) and (b).

California Code of Regulations (CCR), Section 64537.2 states in relevant part:

**Table 64537.2-B**

**TTHM and HAA5 Reporting** If the system is monitoring under the requirements of section 64534.2(d) for...

The system shall report...

TTHM and HAA5

- (a) For each monitoring location:
  - (1) The number of samples taken during the last quarter;
  - (2) The date and results of each sample taken during the last quarter;
  - (3) The arithmetic average of quarterly results for the last four quarters (LRAA);
  - (4) Whether the LRAA calculated based on fewer than four quarters of data would cause the MCL to be exceeded regardless of the monitoring results of subsequent quarters;

California Code of Regulations (CCR), Section 64463.4 states in relevant part:

- (c) A water system shall deliver the notice, in a manner designed to reach person served, within the required time period as follows:
  - (1) Unless otherwise directed by the Department in writing based on its assessment of the violation or occurrence and the potential for adverse effects on public health and welfare, community water systems shall give public notice by:
    - (A) Mail or direct delivery to each customer receiving a bill including those that provide their drinking water to others (e.g., schools or school systems, apartment building owners, or large private employers), and other service connections to which water is delivered by the water system; and
    - (B) Use of one or more of the following methods to reach persons not likely to be reached by a mailing or direct delivery (renters, university students, nursing home patients, prison inmates, etc.):
      - 1. Publication in a local newspaper;
      - 2. Posting in conspicuous public places served by the water system, or on the Internet; or
      - 3. Delivery to community organizations.

California Code of Regulations (CCR), Section 64465 states in relevant part:

- (a) Each public notice given pursuant to this article, except Tier 3 public notices for variances and exemptions pursuant to subsection (b), shall contain the following:
  - (1) A description of the violation or occurrence, including the contaminant(s) of concern, and (as applicable) the contaminant level(s);
  - (2) The date(s) of the violation or occurrence;
  - (3) Any potential adverse health effects from the violation or occurrence, including the appropriate standard health effects language from appendices 64465-A through G;
  - (4) The population at risk, including subpopulations particularly vulnerable if exposed to the contaminant in drinking water;
  - (5) Whether alternative water supplies should be used;
  - (6) What actions consumers should take, including when they should seek medical help, if known;
  - (7) What the water system is doing to correct the violation or occurrence;
  - (8) When the water system expects to return to compliance or resolve the occurrence;

- (9) The name, business address, and phone number of the water system owner, operator, or designee of the water system as a source of additional information concerning the public notice;
  - (10) A statement to encourage the public notice recipient to distribute the public notice to other persons served, using the following standard language: —Please share this information with all the other people who drink this water, especially those who may not have received this public notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this public notice in a public place or distributing copies by hand or mail.; and
  - (11) For a water system with a monitoring and testing procedure violation, this language shall be included: —We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not your drinking water meets health standards. During [compliance period dates], we [  did not monitor or test' or   did not complete all monitoring or testing'] for [contaminant(s)], and therefore, cannot be sure of the quality of your drinking water during that time.
- (c) A public water system providing notice pursuant to this article shall comply with the following multilingual-related requirements:
- (2) For a Tier 2 or Tier 3 public notice:
    - (A) The notice shall contain information in Spanish regarding the importance of the notice, or contain a telephone number or address where Spanish-speaking residents may contact the public water system to obtain a translated copy of the notice or assistance in Spanish; and
    - (B) When a non-English speaking group other than Spanish-speaking exceeds 1,000 residents or 10 percent of the residents served by the public water system, the notice shall include:
      - 1. Information in the appropriate language(s) regarding the importance of the notice; or
      - 2. A telephone number or address where such residents may contact the public water system to obtain a translated copy of the notice or assistance in the appropriate language; and
- (d) Each public notice given pursuant to this article shall:
- (1) Be displayed such that it catches people's attention when printed or posted and be formatted in such a way that the message in the public notice can be understood at the eighth-grade level;
  - (2) Not contain technical language beyond an eighth-grade level or print smaller than 12 point; and
  - (3) Not contain language that minimizes or contradicts the information being given in the public notice.

## **IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER**

Este informe contiene información muy importante sobre su agua potable. Tradúzcalo o hable con alguien que lo entienda bien.

### **Sonoma CSA 41 - Freestone Has Failed to Monitor for Disinfection Byproducts on a Quarterly Basis as Required to meet Federal Drinking Water Standards**

Our water system recently failed to monitor for the Disinfection Byproducts as required for drinking water standard during second quarter of 2014, therefore, was in violation of the regulations. Although this is not an emergency, as our customers, you have a right to know what happened, what you should do, and what we are doing to correct this situation.

We are required to monitor your drinking water for Total Trihalomethanes (TTHMs) and Haloacetic Acids (HAA5) on a regular basis. Results of regular monitoring are an indicator of whether or not our drinking water meets health standards. During second quarter of 2014, we did not monitor for TTHMs and HAA5 and therefore, cannot be sure of the quality of our drinking water during that time.

#### **What should I do?**

**You do not need to use an alternative (e.g., bottled) water supply.** However, if you have specific health concerns, consult your doctor.

#### **What does this mean?**

This is not an immediate risk. If it had been, you would have been notified immediately. For the April 2014 through June 2014, the Sonoma CSA 41 - Freestone cannot guarantee the levels of TTHMs and HAA5 were below the required state standards. However, samples collected in March 2014 did not meet the required standards.

You should be aware that some people who drink water containing haloacetic acids and/or trihalomethanes in excess of the MCL over many years may have an increased risk of getting cancer.

#### **What happened? What is being done?**

We have sampled for TTHMs and HAA5s in July 2014 and the results meet the required standard. As required, Sonoma CSA 41 - Freestone will prevent this monitoring violation from occurring in the future.

For more information, please contact Steve Urbanek at (707) 565-3884 or 2300 County Center Drive - Suite B100, Santa Rosa, CA 95403.

#### **What corrective actions have been taken to prevent this violation from occurring in the future?**



This notification of the public is being done in compliance with Sections 64463.4 and 64465, Title 22 of the CCR as a means of keeping the public informed.

Persons wishing more information should contact:

\_\_\_\_\_

*(name)*

\_\_\_\_\_

*(address)*

\_\_\_\_\_

*(phone number)*

### APPENDIX 3. COMPLIANCE CERTIFICATION

Citation Number 02-18-14C-031

Name of Water System: **Sonoma CSA 41 - Freestone**

System Number: **4900549**

I certify that the users of the water supplied by this water system were notified of the monitoring and reporting violations of Title 22, California Code of Regulations (CCR), Sections 64534, 64534.2(d), 64537, and 64537.2 for the compliance period of second quarter 2014 and that the following actions, as directed in 02-18-14C-031 have been completed.

<u>Required Action</u>	<u>Date Completed</u>
(Citation Directive 2) Public Notification – mail or direct delivery to each customer; and use one of the listed methods to reach persons not likely to be reach by mail or direct delivery.	

\_\_\_\_\_  
Signature of Water System Representative

\_\_\_\_\_  
Date

**Attach a copy of the notice posted in the system and a copy published via other notification methods.**

**THIS FORM MUST BE COMPLETED AND RETURNED TO THE DIVISION NO LATER THAN  
NOVEMBER 3, 2014**

**Disclosure:** Be advised that Section 116725 and 116730 of the California Health and Safety Code states that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the attached order may be liable for a civil penalty not to exceed five thousand dollars (\$5,000) for each separate violation for each day that violation continues. In addition, the violators may be prosecuted in criminal court and upon conviction, be punished by a fine of not more than \$25,000 for each day of violation, or be imprisoned in county jail not to exceed one year, or by both the fine and imprisonment.